

WILL INVESTIGATE MOORE'S RELEASE

Special Term of Court, With Judge Gordon, Convened at Lovington.

(Special to The Times-Dispatch.) Lovington, Va., November 9.—Judge Gordon this morning at 10:30 o'clock convened a special term of the Circuit Court of Nelson county here, and a special grand jury was empaneled immediately to investigate the libelous murder of Frank Moore, who was murdered in that county last May. The jury is composed of men who are among the best type of citizenship of the county, and the investigation promises to be thorough, and there seems to be no doubt but there will be a number of arrests at the close of its deliberations.

The jury is composed of the following members: Price Loving (foreman), W. P. Bibb, J. E. Spenser, J. A. Mundy, Jr., P. P. Thacker, W. T. Whitten, E. M. Walker, C. M. Smith and C. H. Spencer.

When the jury had been sworn for its special duty Judge Gordon delivered a charge, which consumed about fifteen minutes. Immediately following the charge the jury retired to begin its work, which is expected to last into next week.

In charging the jury, Judge Gordon declared the liberation of a condemned murderer by a mob was without precedent in criminal annals. It was an act of a lawless and criminal class, he said.

The only reason he had heard advanced for the rescue of Moore, he said, was because of the acquittal of Mrs. How, who was indicted jointly with Moore for the murder of her husband. He showed the members of the grand jury that the people had nothing to do with this, for they were their duty to acquiesce in the verdict of the jury.

After denouncing the act of the mob,

DECLARES LAWYERS TREACHEROUS LOT

Mrs. Martin, Suspicious of Attorneys Connected With Her Hearing, Interrupts Court by Impassioned Outbursts.

(Special to The Times-Dispatch.) Newark, N. J., November 9.—Twice within fifteen minutes to-day Mrs. Caroline B. Martin, at the hearing to her sanity, made impassioned outbursts in open court. The first one came when Mrs. Bessie G. Spindle, Mrs. Martin's sister, who was on the witness stand all morning, told of a letter she said she received from Mrs. Martin regarding the \$24,000 life insurance on the life of Okey W. M. Snead, the East Orange bathtub victim, for whose murder Mrs. Martin has been indicted.

"In this letter," said Mrs. Spindle, "was asked the insurance be used as a defense fund."

"That is not so," said Mrs. Martin, jumping to her feet with an agility that belied any weakness on her part.

In a firm, strong voice, Mrs. Martin declared she had never written any such letter.

"I demand that my statement be put upon the records of this case," said Mrs. Martin.

Judge Ten Eyck assured her that it would be, and also said she would be given all opportunity to fully explain her side of the case later.

This was the first intimation given so far in the case that Mrs. Martin would be called to the stand and allowed to testify in her own behalf.

The second outburst came a few minutes later, when Mrs. Spindle was trying to find out from Mrs. Spindle when Mrs. Martin had become suspicious of her lawyers.

A Treacherous Lot.

"Mrs. Martin said the (lawyers) were all a treacherous lot, and were against her."

Once more Mrs. Martin jumped up and vehemently declared, "I didn't say anything of the kind. I have nothing against Mrs. Mott, but the other lawyers are using statements they have no right to use."

Mrs. Mott is exempt because I understand he is privileged to use anything he can get hold of."

Mrs. Martin again was quieted, and the examination of Mrs. Spindle was concluded a few minutes later.

When the hearing was resumed this morning Judge Ten Eyck was "hot, not with heat, but with cold. When he took his place on the stand a sharp chill pervaded the courtroom. After moving to the freeholders' room some time was spent in arranging chairs and tables for counsel and witnesses. Mrs. Martin was seated almost directly in front of Judge Ten Eyck. For the first time she came into the court room without a veil covering her face.

When court was finally convened Mrs. Bessie G. Spindle, or Christiansburg, Va., was recalled to the stand for further cross-examination.

Mrs. Spindle first told Mr. Hood that in 1902, when Mrs. Martin was a guest at her school in Christiansburg, she had many of the same habits that marked her later years. She was careless in her dress, and her room was always in a litter. It was filled with newspapers and clippings from magazines. The bed was never made. Continuing, Mrs. Spindle said:

"Mrs. Martin always insisted that she was the 'Divine Savior' of the family. I think she used the word 'salvator' and was always complaining that the rest of the family did not co-operate with her."

Mrs. Spindle, who is a remarkably pretty woman, made a good impression on the witness stand. Her answers

were clear and direct, and given with a decision that carried weight.

Witness Irritated.

Pressed by Mr. Hood as to her relation with Mrs. Martin, the witness for the first time showed a trace of irritation. The question asked concerned a small loan made to Miss Wardlaw, the sister who died in the House of Detention on August 11, 1909.

"The loan was made to Miss Wardlaw, but I understand it was for Mrs. Martin's benefit."

"Were you friendly with Mrs. Martin and Miss Wardlaw at the time?"

Very quickly Mrs. Spindle replied: "I have always been friendly with my sisters. It is hard to have to say things as I am compelled to, but it is necessary now."

When Mrs. Spindle left the stand and walked toward the rear of the improvised courtroom, she seemed about to fall. She recovered herself rapidly, and, assisted by her son, left the courtroom, only to return in a few minutes. She remained throughout the morning hearing.

Nannie Hanson, a negro, who for a year during 1904 and 1905, was employed by Mr. Martin as her personal maid in the Street cottage at Soule College, Murfreesboro, Tenn., was the next witness called.

This witness went over the identical line of testimony that Rita Subit, another negro, gave last Wednesday. She told of how Mrs. Martin would remain in bed for days at a time, how she would not change her clothes or allow the living room used by Mrs. Martin and Nannie Hanson to be cleaned, and of the litter of papers and clippings that were strewn all over the floor.

At the close of the hearing, and following her frequent but quiet objections to the character of testimony which some of the witnesses were giving as to her eccentric behavior during the last few years, Mrs. Martin asked that counsel be especially assigned to look after her interests. She declared that the lawyers employed by Mrs. Spindle and Rev. John Wardlaw, her sister and brother, were not really her lawyers.

"I am not insane," she declared, "and I want a lawyer."

Prosecutor Mott, to whom she addressed her remarks, said that he would consult with Judge Ten Eyck in regard to her request.

"Thank you," she said. "I understand that the prosecutor is to prosecute me if I am guilty and to protect me if I am innocent. I am neither guilty nor crazy, and I ask for personal legal assistance."

Her manner was calm throughout the conversation.

Franklin W. Fort, son of Governor Fort, was a witness late in the afternoon. He will be cross-examined by the State to-morrow. He was the first counsel of the three Wardlaw sisters after their arrest for the murder of Okey Snead. He told of the peculiar behavior of Mrs. Martin, of her refusal to agree to the conduct of the case on proper lines and of her denunciation of lawyers.

Mr. Fort testified that Mrs. Martin told him she was suspicious of the lawyers she had, including himself, because they were all Republicans, and she was a Southern woman.

After the close of court this evening Mrs. Martin characterized this statement of her former counsel as "beautiful action."

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and promising the full co-operation of the Commonwealth's attorney, he sent the jury out for consultation.

When the special term began this morning fifty witnesses were present in response to subpoenas executed upon them recently at the behest of Commonwealth's Attorney Whitehead.

There is no doubt but this number will be doubled before the investigation is completed, for there will be developments during its progress which will call for the summoning of additional witnesses to testify along lines brought out by witnesses who testify earlier during the investigation.

The witnesses are all from the Roseland and Rose's Mill sections, along Piney and Tye Rivers, but the grand jurors all come from portions of the county remote from the section in which the crime was committed, and from which the mob is thought to have come.

When the women saw the dead woman tenderly carried from the beach, her features fixed in a half smile and a long gray wisp of hair showing from under the overcoat placed over the body, many of them cried: "They were led from the scene."

The body was placed in the hospital ambulance and taken to an undertaking establishment. There it was claimed by a Philadelphia woman (identity the police refuse to make known).

Too Late to Prevent Tragedy.

Upon information gathered by the authorities it was learned that Mrs. D'Essi left a hotel on Arch Street, Philadelphia, about 10 o'clock Monday morning and came to this city.

She registered at a beach front hotel at the foot of South Carolina Avenue. There she sent letters to the man who claimed the body, declaring her intention of ending her life. He came to this city on the first train after receiving the letters, but was too late to prevent the tragedy.

The police gathered from this narrative that Mrs. D'Essi recently returned from Russia. There she had been nursing a sister, who is slowly dying from an incurable disease. A short time ago she lost her husband, and shortly after her only son died. It is believed the woman became mentally unbalanced when she realized that the illness of her sister was fatal. This sister is said to be her only surviving relative.

Before leaving the hotel early yesterday morning she expressed her trunk and other luggage to New York. An effort will be made to recover them. The man who assumed charge of the body will bury Mrs. D'Essi from this city at Pleasantville, N. J. Dr. Souder, the county physician, has issued a certificate of death by suicide.

There were three cross-country flights to Fort Carroll and return. The fort is a massive granite structure in the Patuxent River, below the entrance to Baltimore harbor, about nine miles from the aviation field. Latham made the first flight in 28 minutes 58 seconds. De Lesseps bettered this, his time being 26 minutes 15 seconds. But it remained for Drexel to make the fastest trip, he covering the distance in 24 minutes 14.5 seconds. Hoxsey made a flight for altitude in an endeavor to win the \$2,500 prize offered by the American and the Star to the first aviator to reach during this meet a height of 10,000 feet or more above the sea level. It was in the plane of John H. Johnson, who was in the plane, 9,700 feet, making a world's record, but to-day Hoxsey scored only 5,336 feet.

The audience saw in action to-day every type of aeroplane now on the grounds. Archibald Hoxsey opened the entertainment in a Wright biplane; Hubert Latham showed his Antoinette at its best; Count Jacques de Lesseps, J. Armstrong, James Radley, were out in their Blériots, and Willard and Ely showed something of what the Curtiss biplanes can do.

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SEEKING DEATH, WADES INTO SEA

Mrs. D'Essi Commits Suicide by Drowning at Atlantic City.

Atlantic City, N. J., November 9.—Mrs. Emily D'Essi, a native of France and a resident of Philadelphia, fifty-eight years old, walked into the ocean at South Carolina Avenue and drowned herself. She had taken off her outer garments and laid them in a neat pile on the beach. The clothes were discovered by a boy, which led to a search.

The body was recovered after it had been in the water for several hours. No one witnessed the suicide, so far as known.

News of the finding of the clothing spread quickly through the hotel district and along the Boardwalk. Before the police had arrived to take charge of the search several hundred people had rushed to the scene of the tragedy. Fashionably-gowned women left their sitting chairs on the Boardwalk to join the throng on the strand and peer over the breakers, trying to catch a glimpse of the woman's body.

In Water for Hours.

For an hour the anxious people on the beach watched the drag for the body. It was finally discovered by a life-saving crew almost a square away from the spot where the garments were found. They were only a few feet from shore. Physicians, who had been summoned, attempted to resuscitate the woman. It was found by close examination that Mrs. D'Essi had been in the water for hours.

When the women saw the dead woman tenderly carried from the beach, her features fixed in a half smile and a long gray wisp of hair showing from under the overcoat placed over the body, many of them cried: "They were led from the scene."

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